

MESSAGE NO: 7115331 MESSAGE DATE: 04/25/2017

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: PARRES-Partial Rescission

FR CITE: 82 FR 15181 FR CITE DATE: 03/27/2017

REFERENCE MESSAGE # 6218307, 7109306
(s):

CASE #(s): A-552-801

EFFECTIVE DATE: 03/27/2017 COURT CASE #:

PERIOD OF REVIEW: 08/01/2014 TO 07/31/2015

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Rescission of administrative review in part of antidumping duty order on certain frozen fish fillets from the Socialist Republic of Vietnam (A-552-801)

1. Commerce has rescinded the administrative review of the antidumping duty order on certain frozen fish fillets from the Socialist Republic of Vietnam (A-552-801) covering the period 08/01/2014 through 07/31/2015 in part with respect to the firms listed below. You are to assess antidumping duties on this merchandise entered, or withdrawn from warehouse, for consumption during the period 08/01/2014 through 07/31/2015 at the cash deposit rate required at the time of entry.

Liquidate all entries for the following firms:

Company Name: QVD Food Company, Ltd.

Case number: A-552-801-009

Company Name: Southern Fishery Industries Company, Ltd. (also known as South Vina)

Case number: A-552-801-028

Company Name: An Phu Seafood Corp. (also known as ASEAFood)

Case number: A-552-801-029

Company Name: Bien Dong Seafood Co., Ltd.

Case number: A-552-801-034

Company Name: Quang Minh Seafood Co., Ltd.

Case number: A-552-801-035 or A-552-801-075

Company Name: Asia Commerce Fisheries Joint Stock Company (also known as Acomfish JSC or Acomfish)

Case number: A-552-801-042

Company Name: Binh An Seafood Joint Stock Co.

Case number: A-552-801-043

Company Name: Hiep Thanh Seafood Joint Stock Co.

Case number: A-552-801-045

Company Name: Vinh Hoan Corporation

Case number: A-552-801-050

Company Name: Vinh Quang Fisheries Corporation

Case number: A-552-801-051

Company Name: Thanh Hung Co., Ltd. (also known as Thanh Hung Frozen Seafood Processing Import Export Co., Ltd. or Thanh Hung)

Case number: A-552-801-053 or A-552-801-000

Company Name: Hung Vuong Group

Case number: A-552-801-057

Company Name: International Development & Investment Corporation (IDI)

Case number: A-552-801-058

Company Name: Thien Ma Seafood Co., Ltd. (also known as THIMACO)

Case number: A-552-801-059

Company Name: An My Fish Joint Stock Company (also known as Anmyfish or Anmyfishco)

Case number: A-552-801-060

Company Name: Seafood Joint Stock Company No. 4-Branch Dong Tam Fisheries Processing Company (DOTASEAFOODCO)

Case number: A-552-801-064

Company Name: Sunrise Corporation

Case number: A-552-801-065

Company Name: C.P. Vietnam Corporation

Case number: A-552-801-069

Company Name: Ngoc Ha Co., Ltd. Food Processing and Trading

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Case number: A-552-801-074

Company Name: TG Fishery Holdings Corporation (also known as TG)

Case number: A-552-801-076

An Phat Seafood Co., Ltd.

Anvifish Co., Ltd.

Bentre Forestry and Aquaproduct Import Export Joint Stock Company (also known as Ben Tre Forestry and Aquaproduct Import-Export Company or Ben Tre Forestry Aquaproduct Import-Export Company or Ben Tre Frozen Aquaproduct Export Company or Faquimex)

Cafatex Corporation (CAFATEX)

Can Tho Animal Fishery Products Processing Export Enterprise (also known as Cafatex)

Hung Vuong Seafood Joint Stock Company

Lian Heng Investment Co., Ltd. (also known as Lian Heng)

Lian Hengg Trading Co., Ltd. (also known as Lian Heng)

Nam Viet Company Ltd.

Nha Trang Seafoods, Inc. (also known as Nha Trang Seafoods-F89 or Nha Trang Seafoods)

Thien Ma Seafoods Co., Ltd. (also known as THIMACO)

Thien Phat Seafood Co., Ltd.

Vinh Long Import-Export Company (also known as Vinh Long or Imex Cuu Long)

Vinh Quang Fisheries Joint-Stock Company

No case numbers were in place for these companies during the period of review.

For the companies listed above without listed case numbers, entries may have been made under A-552-801-000 or other company-specific case numbers.

2. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 1 occurred with the publication of the notice of rescission in part of administrative review (82 FR 15181, 03/27/2017). Unless instructed otherwise, for all other shipments of certain frozen fish fillets from the Socialist Republic of Vietnam you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

3. The injunction with court number 16-00141 in message number 6218307, dated 08/05/2016, is applicable to the entries which: were produced and/or exported by Hai Huong Seafood Joint Stock Company that were the subject of the determination in Certain Frozen Fish Fillets From the Socialist Republic of Vietnam: Final Results of Antidumping Duty New Shipper Review; 2014-2015, 81 Fed. Reg. 44, 272 (Dep't of Commerce 07/07/2016); and were entered, or withdrawn

from warehouse, during the period from 08/01/2014 through 01/31/2015.

The injunction with court number 17-00056 in message number 7109306, dated 04/19/2017, is applicable to the entries which: 1) are subject to the final results of the antidumping duty administrative review, 82 FR 15181 (Dept. Commerce 03/27/2017); 2) were exported to the United States by Thuan An Production Trading and Services Co., Ltd.; and 3) were entered, or withdrawn from warehouse, for consumption on or after 08/01/2014 through 07/31/2015.

Accordingly, continue to suspend liquidation of such entries until liquidation instructions are issued.

4. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

5. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

6. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OV:KH.)

7. There are no restrictions on the release of this information.

Alexander Amdur

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party